

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Queen Charlotte Franklin,	:	Case No. 1:25-cv-58
	:	
Plaintiff,	:	
	:	Judge Susan J. Dlott
v.	:	
	:	
H.U.D. – Pleasant Run Apts., <i>et al.</i> ,	:	Order Adopting Report and
	:	Recommendation
Defendants.	:	

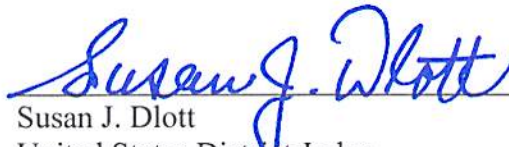
This matter is before the Court on the Report and Recommendation (Doc. 5) entered by Magistrate Stephanie K. Bowman recommending dismissal of this action based upon lack of federal subject matter jurisdiction, or alternately, for failure to state a claim. (Doc. 5.) The Magistrate Judge also recommends formally warning Plaintiff that she is highly likely to be deemed a vexatious litigant and made subject to prefiling limitations if she persists in filing additional cases that lack any reasonable basis for federal subject matter jurisdiction and/or that are factually and legally frivolous. Lastly, the Magistrate Judge recommends certifying that an appeal of an Order adopting the Report and Recommendation would not be taken in good faith and denying Plaintiff leave to appeal *in forma pauperis*. Plaintiff did not object to the Magistrate Judge's Report and Recommendation.

As no objections have been filed, the Court **ADOPTS** the Report and Recommendation. (Doc. 5.) The Court **DISMISSES WITHOUT PREJUDICE** Plaintiff's Complaint based on lack of federal subject matter jurisdiction. For the reasons set forth in the Report and Recommendation, the Court **FORMALLY WARNS** Plaintiff that she is highly likely to be deemed a vexatious litigant and subject to prefiling limitations if she persists in filing additional cases that lack any reasonable basis for federal subject matter jurisdiction and/or that are

factually and legally frivolous under screening standards. Lastly, the Court certifies that an appeal of this Order would not be taken in good faith and **DENIES** Plaintiff leave to appeal *in forma pauperis* pursuant to 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED.

BY THE COURT:



Susan J. Dlott
United States District Judge